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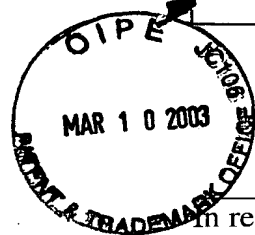
Date: 3/4/03

Signature:

(Kathryn L. Nash)

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Docket No.: 65937-0002
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael E. Miller, et al

Application No.: 09/707,022

Group Art Unit: 3681

Filed: November 6, 2000

Examiner: C. Marmor

For: BIOPSY APPARATUS

#14

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

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Dear Sir:

As set forth in the Office Action mailed February 4, 2003 (Paper No. 11), the Examiner has required restriction between the following alleged species: Species I directed to Figure 5; Species II directed to Figure 6; Species III directed to Figure 7; Species IV directed to Figure 8; Species V directed to Figure 8(a); Species VI directed to Figure 8; Species VII directed to Figure 9; and Species VIII directed to Figures 10 and 11.

In response to the restriction requirement, Applicants hereby provisionally elect without traverse the claims directed to Species II, namely claims 1, 3-11, 16-26, 28, 31, 34-38, 40-45, 53-56 and 59-68, for continued examination.

The Examiner asserted that no claim appears to be generic to all the alleged species. However, Applicants respectfully contend that independent claims 1, 9, 10 and 11 are generic. Upon allowance of a generic claim, Applicants will be entitled to consideration of the claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

If the Examiner has any questions with respect to this communication, he is kindly urged to call the undersigned.

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Bloomfield Hills

Washington, D.C.

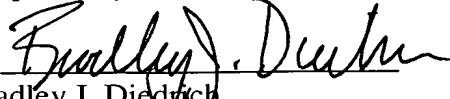
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It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge account number 18-0013 in the name of Rader, Fishman and Grauer PLLC.

Dated: March 4, 2003

Respectfully submitted,

By 
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